

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS

FILE #

INDEX # 07- CIV 8359

DATE INDEX # PURCHASED:

DATE AFFIDAVIT FILED:

COPY

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 25, 2007 at 11:47 AM, deponent served the within named LETTER upon LEENA DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LEENA DELI & GROCERY, therein named. Said service was effected at 1616 BRUCKNER BLVD, BRONX, NY 10473, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to FERNANDO LOPEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **47** Height(Approx): **5' 7"** Weight(Approx): **180-190 lbs**

Other: **MUSTACHE**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 25, 2007

RAE BAFFA  
Notary Public, State of New York  
No. 4920453  
Qualified in Suffolk County  
Commission Expires July 5, 2010

Sworn before me on October 25, 2007

ANTHONY BAFFA  
Notary Public, State of New York  
No. 4974975  
Qualified in Suffolk County  
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.

P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790